EVERYBODY 10 PAGES

HOME EDITION

THURSDAY EVENING

TOPEKA, KANSAS. SEPTEMBER 23, 1915.

THURSDAY EVENING.

THIS EDITION 1 CENT.

BERLIN YIELDS: **VISIT AND SEARCH** NOW PROMISED

Wilson Wins Signal Victory in Frye Case.

Ships Carrying Conditional Contraband Are Spared.

"EVIDENCE OF CONCILIATION"

Berlin Gives Concrete Assurance of Good Will.

Accepts U. S. Suggstion for Naming of Treaty Arbiters.

Washington, Sept. 23.—Germany in its latest note in the Frye case made public today notifies the United States that orders have been issued "the German naval forces not to destroy Amerlean merchantmen which have loaded conditional contraband, even when the conditions of international law are present, but to permit them to continue their voyage unhindered if it be not possible to take them in o port."

Germany gave this assurance "in order to furnish to the American gov-ernment evidence of its conciliatory attitude" while the question of inter-preting the treaty of 1828 is submitted to arbitration. The American sugges-tion for the naming of the experts to fix the indemnity for sinking the Frye

is accepted.
As for absolute contraband, such as arms and ammunition, Germany states in its note that "It must reserve to it-self the right to destroy vessels carrying absolute contraband wherever such destruction is permissible, ac-cording to the provisions of the declaration of London.

The German note is regarded by officials as evidencing a more friendly spirit on the part of the German foreign office. Following months of strained relations between the two countries, it was received as a favor-able development. It practically insures American vessels against attack without warning, and, even in the event that they are carrying absolute contraband, passengers and crew are bound, according to the declaration of London, to be removed before there is any destruction, which can occur only in the event of extreme necessity Publi tion of the note discloses at important diplomatic victory or t United States. On Thing seemed the officials certain German nav navel commanders now are ordered to ex-ercise the right of visit and search with respect to all American ships to d 'ermine what crago the vessels carry, thus making it practically sure none will be attacked without warn-ing or ample time for passengers and crew to be transferred irrespective of

Take Immediate Action.

Closing of Old Passageway Has Caused Much Inconvenience.

Full authority to take whatever legal steps necessary to compel the October I. construction of a viaduct on East thirty cent Sixth street, was given George P. Hay- of the me den, city attorney, by the city com-mission today in the final adoption of a resolution offered by W. G. Tandy. October 24 is the time set by he city attorney for the instituting of man-damus proceedings in the Ka sas su-preme court, provided an agreement has not been reached with the railroad companies

The Resolution. The resolution adopted by the city commissioners today is: Resolved by the board of commis-sioners of the city of Topeka, that, whereas the East Sixth street viaduct is now in a dilapidated condition, and

is now in a dilapidated condition, and whereas an expert engineer selected by the Topeka Railway company, who together with the city engineer, inspected said viaduct and reported to the Topeka Railway company that said viaduct was unsafe for street traffic and should be closed, and whereas said viaduct is now closed to all but foot asserters. all but foot passengers, and whereas the traffic on East Sixth street is the traffic on East Sixth street is such that a viaduct is necessary for the protection and safety of the public and whereas the closing of this viaduct is a great inconvenience to those who reside on the East side, and whereas this viaduct should be reconstructed without delay, and whereas it is the duty of the Atchison. Topeka and Santa Fe Railway company, the Missouri Pacific Railway company and the Topeka Railway company, to reconstruct said viaduct, and pany, to reconstruct said viaduct, and whereas they have neglected and de-layed to reconstruct said viaduct af-ter having been served with notice to do so, and whereas the accessity of the occasion demands, in justice to all those who live on the East side, that this viaduct be reconstructed without

delay.

Now, therefore, be it resolved that
the city afterney be and he is hereby
instructed to commence the necessary
proceedings to compel the said comreconstruct said viaduct

PROBE N. Y. EXPLOSION

Five Official Investigations Follow ing Subway Cave-In Wednesday.

New York, Sept. 23 .- Five official investigations of the cave-in of the the result of a dynamite blast.

"I'M INNOCENT," IS ARCHIBALD PROTEST



James F. J. Archibald leaving S. S. Kotterdam on return to New York.

James F. J. Archibald, the American newspaper correspondent who was carrying Ambassador Dumba's offensive letter to Austria when it was seized by English authorities, returned to New York last Monday. This photo of him was taken as he left the steamer Rotterdam, on which he returned. "I'm innocent," he told newspaper men.

Arguments Before Supreme Pretty Osage City Maidens Court Concluded Today.

Were Out for Lark.

astrously in Topeka.

Hours of Morning.

of Party, Police Say.

A joy ride bolstered with beer and

In a Hired Ford.

plans of the party and notified the

parents of the girls. The marshal was instructed to stop the quintet at the nearest point to Osage City pos-

Held at Police Station.

Jones, who, the girls claim, hired

tria Answers Our Note.

The police at Topeka were notified

According to information in the

Lawyers in Personal and Sar- But Their Joy Ride Ended Discastic References.

WILL SEEK EARLY DECISION HAD BEER IN AUTOMOBILE

Questions of Law Argued by At- Party Arrested Here in Wee wood and Jackson.

City Attorney Empowered to Atwood Charges Politics- Topeka Married Man Member Jackson Raps Flannelly.

> Arguments in the gas case were concluded this afternoon and an opinion lunches ended disastrously here this from the supreme court concerning morning about 2 o'clock at the Santa the right of Judge Flannelly to estab- Fe depot, when Frank Jones, a travlish gas rates will probably be handed down in a special opinion prior to October 1. The Flannelly order for a October 1. The Flamelly order for a thirty cent rate is effective the first of the month and both the public Sipes and Miss Bessie Richards both utilities commission and attorneys for the Kansas Natural receivers have urged an immediate ruling on the issues in the case.

> issues in the case.
>
> The final speeches before the court were presented today by John H. Atwere presented today by John H. Atwood of Kansas City, representing the
> gas company receivers, and Fred S.
> Jackson, counsel for the public utilities commission. Rights of courts to
> regulate the affairs of the gas company were argued by the two lawyers. The interstate commerce question was strongly urged by Atwood,
> who also pointed to court decisions
> under which he claimed that Judge
> Flannelly had a perfect right to accept jurisdiction in the gas case and
> make a rate order.

make a rate order. Pates Judicial Question. "When a rate becomes confisca-ry," Atwood told the supreme court, sible and do it quickly.

"then the question becomes a judicial question. Because of the peculiar peculiar and two hours later the five were conditions in this case, it was Judge Flannelly who must conserve this property—who must keep it a going (Continued on Page 2.)

HOUSE SEES PRESIDENT

Wilson's Friend and Adviser Is Guest women's ward and the men are at White House.

Washington, Sept. 23 .- Col. E. M. House, President Wilson's personal friend and adviser, was a guest today at the White House.

The two girls involved in the affair are

Colonel House was quoted by Dr. Constantine Dumba, the Austro-Hungarian ambassador, in one of the letters taken from James F. Archibald in London, as having told Dr. Dumba the United States never would onsent to prohibit exports of wer munitions to Europe.

Colonel House vesterday gave out a This charged with a statutory offense.

Colonel House yesterday gave ou a statement in New York saying hat he spoke on his own account and did not claim to represent the president.

WAIT ON VIENNA U.S. GONSULATE STRUCK U. S. Will "Hold" Dumba Until Aus-

American Office at Stuttgart Damaged by French Airmen's Shell.

washington. Sept. 23.—Action by the American government on the request of Dr. Constantin Dumba, Auswashington. Sept. 23.—The American consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the decident which took place yesterday was still attributed to a collapse of the wooden street surface as the result of a dynamite blast.

Washington. Sept. 23.—The American countries and consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate was injured, out did not indicate whether the building was greatly damaged.

Washington. Sept. 23.—The American countries and consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent raid upon that place by French in the consultate at Stuttgart was struck by a fragment of a bomb during the recent ra greatly damaged.

AMATEUR PLAY ON DRIVE ON DVINSK

Country Club Invitation Tour- Strongly Fortified Russian City nament Began This Morning.

Bonebrake and Anderson, of Germans East and Southeast of Lawrence, Are Favorites.

MORE THAN 90 GOLFERS HERE SLAVS ESCAPE VILNA NET

Earl Trobert, Washburn Foot- Safe Retreat of Muscovites Now ball Star, Led All Today.

Hef Felix Turned in Best Score Teutons Capture Men and Guns for Eighteen Holes.

A 3 o'clock this afternoon Har-A 3 o'clock this afternoon Har-low Hurley of Topeka had the lowest score reported for the qualifying rounds. His eard was 87. Earl Trobert took a 46 for his second round and had a total of 89. Felix had an 89 and young

Qualifying rounds for the third an-nual invitation turnament for ama-teurs began this morning at the Coun-

Trobert, ex-captain of the Washburn football team. Trobert's card for the first round showed a 43, one over bogey. There were several cards with 44 turned in. J. E. Dickey, of Newton, and J. E. Frost, of Topeka, were the veterans on the course today. Mr. Dickey is 58 years old and Mr. Frost 86. They both played fair golf in their first need.

A high wind that blew from the south bothered the players a great deal and caused many high scores. deal and caused many high scores.
The leaden sky which kept the sun
from dispersing the chill of the air
also was a handicap to the golfers.
Many were stiff and chilled for the
first fee belowed. first few holes and consequently play

first few holes and consequently played under form.

Hef Felix, of the Topeka Country club, turned in the best score for the eighteen holes this morning. His card read 83. George Snyder, of Topeka, was second low with a 91, and H. G. Whittlesey, of Emporia, came third with 92. A great many scores had not been turned in so it is expected that some better cards would be found this afternoon. afternoon

Scores This Morning. The scores made this morning

	were:
	I. Felix, Topeka:
И	564-646-45545
H	844-536-55444
1	J. B. Anderson, Salina:
ij	644-747-54647
ï	844-837-64448
3	George Snyder, Topeka:
ď	745-647-545-47
d	554-735-74444
i	H. Whittlesey, Emporia;
N	745-656-645-48
n	655-636-45444
B	S. C. Pettitt, Topeka:
Н	655-675-545-48
ų	654-956-76553
1	F. J. Ernest, Topeka:
Н	555- 937-776-54
Н	\$56-1068-66459
H	
li	H. Junk, Topeka:
	845-647-65449
I	754-846-64549
O	F. Vernon, Emporia:
3	656- 758-76555
Ш	765-1047-77659
W	D. McVicar, Topeka:
Ñ	775-656-85453
1	744-737-65548
1	· A. H. Ramage, Tulsa, Ok:
91	954-846-76554
1	554-637-855-48
4	H. G. Humphreys, Topeka:
1	664-736-645-17
4	664-756-654-49
П	C. Murray, Hutchinson:
d	1065-957-57559
	754-746-55548
1	J. Waters, Topeka:
il	853-857-65552
ı	854-846-795-56
H	F. Fessenden, Ottawa:
	844-84 7-576—53
d	774-7510-55555
ijĺ	111-1010-000-00

R. Pierce, Topeka: 745-846-775-53 D. Hall, Topeka: Starters Today.

The players who started this morn-(Continued on Page 4.)

GIGANTICSTEEL MERGER

Charles M. Schwab to Head New Combine. Report Says. Philadelphia, Sept. 23.-Another

Today all parties involved are being held at the city jail. The girls are under Matron McGrath's care in the gigantic steel merger, embracing every large independent steel company not controlled by the United States Steel controlled by the corporation, is about to be born, if persistent rumors in financial circles

here today are born out.

The interests organizing the new
merger were said to have already submitted a tentative plan of the consolimitted a tentative plan of the consoni-dation to United tSates Attorney Gen-eral Gregory for approval. The new steel combine would embrace the Bethlehem Steel company, Crucible Steel, Cambria Steel, Midvale Steel, Pennsylvania Steel, Lackawanna Steel, and smaller indpendent concerns. Charles M. Schwab, according to reis the dominant figure in the new merger.

BASEBALL TODAY. AMERICAN LEAGUE

AMERICAN DELLOCAL
At New York—Score: R.H.E. St. Louis
At Boston—First game— Score: R. H. E. Cleveland

Batteries-Klepfer, Coumbe and

Egan; Wood, Mays and Thomas.

STRENGTH OF THE BALKAN STATES, ON BRINK OF WAR

BULGARIA. Active forces on a peace All other reserves......300,000 720,000 Total. . RUMANIA.

Total . . GREECE.

on Road to Petrograd.

Berlin, Sept. 23—(Via London). The new German offensive, with its object the capture of the important Russian fortified city of Dvinsk, has made definite progress. The war office today an-nounced that Russian advanced positions west of the city had been penetrated and more than 2,000 prisoners and several machine guns captured.

Teuton's New Offensive.

Lida Speed Up.

Seems Assured.

teurs began this morning at the Country club and continued into the afternoon. More than ninety golfers from Kansas, Missouri. Oklahoma and Colorado are entered in the tournament. The first sixty-four low men will qualify in one of the four flights, which will be started tomorrow. The remaining players will play for a consolation prize.

The low round in the play as reported this morning was made by Earl Trobert, ex-captain of the Washburn football team. Trobert's card for the first round showed a 43, one over bogey. There were several cards with

Germans Capture Trenches.
The chief success of the Germans in the last day or two has been along and J. E. Frost, of Topeka, were the veterans on the course today. Mr. Dickey is 68 years old and Mr. Frost 66. They both played fair golf in their first round. Arthur Bonebrake, the morning and reported a 46 for the first round.

Iligh Wind Cut Scores.

A high wind that blew from the course today. Mr. Driving the Dvina front, which bars the road the point of the game, gold and Mr. Frost to Petrograd. Southwest of Dvinsk the invaders captured Russian trenches on a front of nearly two miles, taking 2,000 prisoners and eight machine guns. Further down the river near Friedrichstadt, the Russian trenches on a front of nearly two made in a conference between Mr. Rockefeller, David Griffiths, grievance representative of the Rouse miners. Mitchell is situation in Russia is quiescent. strike in protest at the prorogation of the duma has been suspended, but may be revived if the government persists in its opposition to the [Continued on Page Two.]

Force of 110,000 Men Added to Dardanelles Fighters.

Troops Sent to Aid of French and British.

Berlin, Sept. 23.—(Wireless to Say-ville.)—A new army of 110,000 men has been sent to the assistance of the allied forces at the Dardanelles, ac ording to the Overseas News agency

AUTUMN IS ON TAP

Official Fall Season Begins Tonight; No Weather Change Predicted.

Cloudy skies and warmer tempera-ures was the brand of weather or morning with a slight cha for light showers today or tonight. The temperatures last night were more nearly normal than at any time in the pest week, the average being only 2 degrees below. The forecast calls for partly cloudy and unsettled weather tonight and Friday; cooler in the north part of the state tonight. A fifteen mile south wind is keeping the temperature up and there is no

danger of frost.
Sedan received the only measurable rainfall in the state last night. precipitation was .04 of an inch. Several other stations reported a trace

night but there will be no change in the weather conditions. "The fall equincx does not necessarily bring stormy weather," says Mr. Flora, "and the October weather we have 745-848-668-53 been having will continue." The temperatures in the past twenty-four 864-648-946-55 hours varied only 10 degrees, the 945-956-747-56 highest reading being 69 and the low-

est 59 degrees Considerable difference in the tem-peratures over the state were noticeable. The highest reading in Kansus was 86 degrees at Goodland, and the lowest was 44 degrees at the same

grees below normal. The wind continued from the south but fell off to 12 miles an hour this afternoon. It will be slightly cooler tenight. Following are the hourly temperature readings for today:

7 o'clock5911 o'clock64
8 o'clock6412 o'clock64

8 o'clock ... 60 12 o'clock .61 1 o'cleck .62 2 o'clock o'clock 10 o'clock 3 o'clock

BULGERS RUSH TO WAR Mobilization Order Causes Great Ex-

citment in Athens.

tion order. The news has caused were so defective that hundreds much excitement in Athens and developments are anxiously awaited asserted the acid was forwarded in

other German cities today in answer to the mobilization summons. Vienna dispatches reported thousands of Bulgarians were en route to the frontier.

German newspapers devoted a large share of their space to the Balkan situation today. They assure Bulgaria that she has the sympathy of the German people in her efforts to regain Macedonia.

Which released noxious gazes, endangering the health of the crews. In one case, according to this newspaper, the crew refused to leave port and the acid was held up in New York for two months. Two steamships have been damaged so badly that there was nothing to do but to buy them, at a cost of \$300,000.

The Globe suggests two mostly.

Active forces on a peace footing 100,000 First line of reserves . . . 150,000 All other reserves..... 350,000

Active forces on a peace footing. 70,000 All reserves (estimated) . 330,000

Assuming that Greece and Ru-mania will enter the war on the side of the allies if Bulgaria joins the Austro-Germans, the allies forces, on paper, would be re-enforced by nearly 1,000,000 troops and the Austro-Germans by only 720,000. Greece's forces are widely scattered and Greece probably would be slow in mob-ilization.

NO WAR ON UNIONS

Does Not Discriminate.

Magnate Continues Study of Mines First Hand.

Rouse, Col., Sept. 23.-John D. Rockefeller, Jr., today said the Col-The a negro

Mr. Rockefeller visited the properties of the Colorado Fuel and Iron company here today, the second anniversary of the calling of the coal miners' strike

The Rockefeller party made the thirty-five miles from Trinidad, arriving shortly before 10 o'clock. After luncheon they proceeded to Lester and expected to reach Walsenburg for tonight's stop. In the course of the conference, which was in the open air, under a sizzling sun, somebody asked Mitchell whether members of the United Mine

Workers came to him with their griev-ances against the company. "I don't remember that any union men have complained since I was elected representative," said Mitchell. "I don't believe Mitchell knows whether they are union men or not," broke in Rockefeller. "I'm quite sure the officers of the company don't and let me tell you, the Colo-

(Continued on Page 4.)

Chicago Saloon Keepers Sued for Two Millions.

itizens' League After Them Under Dram Shop Law.

nillion dollars damages under the dramshop law have been started against Chicago saloon keepers by counsel for the Citizens' league, an day with the seven steerage passengers and fifty-six members of the crew resof relatives of alleged drunkards.

The dramshop law provides that the tionary at 8.3 feet, having held that stage since Tuesday morning.

Fall starts officially at 9 o'clock to-night but there will be seen to sell him liquor.

If the notice is disregarded, the fall starts officially at 9 o'clock to-night but there will be seen to sell him liquor. family may see for impairment of

their support.

Counsel for the Citizens' league said today that the law was the "best weapon against the saloon and that it brought the desired results."

SCANDAL IN

London Newspaper Asks for Inquiry in Commons.

Defective Shipping.

London, Sept. 23.-Great promi-

nence is given by the Globe today to what it describes as "The scandal 65 of sulphuric acid."
"In the spring of this year, for rea66 sons believed to be good and sufficient
68 doubtless, but which we hope will be made the subject of an inquiry by the house of commons," said the Globe, "the firm of C. Tennant Sons & Co.,

remotely connected in a family sense with a member of the cabinet, vias commissioned to buy large quantities of sulphuric acid in ...merica. Why no attempt was made to secure acid this country we will not stop to in-Athens, Sept. 23.—Up to midnight, Monday, 218 classes of troops had been called in the Eulgarian mobilization mobilization in the shipment of the acid-

Berlin Eggs on Bulgaria.

Berlin, Sept. 23.—Large bodies of Bulgarian reservists left Berlin and other German cities today in answer

Weather Forecast for Kansas.

Partly loudy tonight and Friday; cooler in north part of state tonight.

Co., or the government.

STATE RESORTS

Kansas Discovers Finances Are in Poor Condition.

Only 10 Per Cent of Taxes for 3 Month's Bills.

CAUSED CONCERN FOR DAYS

Governor Capper Called in Heads of State Departments.

Treasurer Akers Expresses Little Concern Over Situaton.

State funds are not in the best of

ondition and the fee funds of the

various state institutions are to be drawn on for the payment of current expenses this fall. There is a skimpy John D., Jr., Says Company year's use available for the payment of October, November and December bills and the quarter of a million dollars in the fee funds will be checked lars in the fee funds will be checked against to meet current accounts.

Not until December 20 will the state be able to draw on the new taxes. That means that when the \$334,000 drawn this week to meet September bills is deducted from the state's balance in the offices of the 105 county treasurers, there will be a similar amount available for the state's running expenses during the remainder of the year. It is not remainder of the year. It is not enough money to pay the bills and the state fee funds in the state schools, the big hospitals and other institutions will be checked against.

Capper Calls Conferences.

Capper Calls Conferences. For several days, according to re-ports, the state's financial condition had occasioned concern in state de-

[Continued on Page Two.] STEAMERS SUN

Swedes, British and Dutch Suffer on High Seas.

One Member of English Crew Lost His Life.

London, Sept. 23.—The British steamship Groningen, 988 tons gross, has been blown up. One member of the crew lost his life. Several others were wounded. The survivors were landed today

Swedish Steamer, Too. Christiania, Norway, Sept. 23.—The Swedish steamer Forsyik, 1,197 tons gross, was sunk Sunday by a mine or a torpedo. Her crew was landed here

Dutch Liner Capsizes, London, Sept. 23.—The steamer Koningen Emma of tons, which struck a mine as sh on her way to Amsterdam from Bata-via, Java, capsized and sank in the Thames today. The 250 passengers had been pre-

Chicago, Sept. 23.—Suits for two When she sank.

Safe from Flery Ship. cued from the Greek steamer Athinai. Odestroyed by fire at sea last Sunday

wife or other dependent of a drunk-ard may warn the saloon keeper not to sell him liquer

No Gas or Electricity in Turk Capi-tal; City Is Dead.

Geneva, Sept. 23 .-- A Swiss who has just returned from Constantinople writes to the Gazette de Lausanne that there is no gas, electricity or candles in the Turkish capital and that conditions of life there are almost in-tolerable for foreigners. He says that 2,000 workmen from the Krupp plant in Germany are idle on account of raw materials.

Roger Francis Draper Killed. Temperatures today averaged 4 de- Charges Great Loss Through Francis Draper, son of the Rev. W. H. Draper of Leeds, has been killed at the Dardanelles. Captain Draper was married last December to Miss Anna Lowell Gardiner, daughter of Robert H. Gardiner of Boston.

WEE TOPEKA GIRL IS **HUNTING FOR HER LOST** KITTY CITY WOULD KILL

There was a rap at the door of a College Hill home.

"Have you seen my kitty—he is a striped, tiger kitty—this is his picture?" A little girl, probably eight years old, made the inquiry and as she spoke she held up a picture of her lost pet. Her voice was quavering and tears were very near the surface.

"We just moved to Topeka." she

the surface.

"We just moved to Topeka." she explained, "and I guess my kitty got lost and can not find the new house. But if I joust walk around and talk, maybe he will come to me. I know he will come if he hears my voice."

The little girl was not able to give her street address or telephone number.

"Just ask 'Information' for C. C.

Brown, he is my father, if you see my kitty," she requested and con-tinued her house to house search for her pet.

And the city health officer says all cats should be killed!